

NOV 29 2012

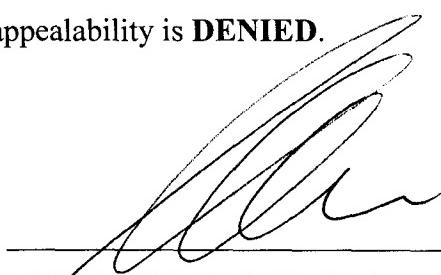
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DODD, CLERK
BY: 
DEPUTY CLERK

EARNEST ROBERT BAXTER,) Criminal Case No. 7:09cr00046
Petitioner,)
v.)
UNITED STATES OF AMERICA,)
Respondent.) 2255 FINAL ORDER
)
) By: Samuel G. Wilson
) United States District Judge

In accordance with the court's memorandum opinion entered on this day, it is hereby
ADJUDGED and **ORDERED** that Baxter's motion pursuant to 28 U.S.C. § 2255 is
DISMISSED, and the case is **STRICKEN** from the court's active docket. Further, finding that
Baxter has failed to make the requisite substantial showing of the denial of a constitutional right,
as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

ENTER: November 29, 2012.



UNITED STATES DISTRICT JUDGE